

7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kiesel, et al

Art Unit: Not Assigned

Ser. No.: 09/757,146

Examiner: Not Assigned

Filed: 01/09/01

Docket: 2000 P 03001 US

For: Universal Motion Controller

RECEIVED

MAR 26 2002

OFFICE OF PETITIONS

Certificate of Mailing

I hereby certify that this correspondence, including any enclosures mentioned, is being deposited with the U.S. Postal Service in an envelope containing sufficient postage as first class mail and addressed to Office of Petitions, Assistant Commissioner For Patents, Commissioner of Patents and Trademarks, Washington, D.C. 20231

10/18/01
Date

Nancy A. Denko
Nancy A. Denko

**PETITION TO REVIVE AN UNINTENTIONALLY
ABANDONED PATENT APPLICATION**

Office of Petitions
Assistant Commissioner For Patents
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

I. Statement of Facts

On or about February 26, 2001, an Office Action was mailed to this office. It is believed that the application became abandoned on or about August 27, 2001. A Notice of Incomplete Reply (Non-provisional) was mailed in this case on October 3, 2001. A copy of that Notice is attached. It is believed that the sole reason for abandonment was failure to timely respond to the office action; such failure being entirely unintentional.

04/18/2002 AXELLEY 00000016 192179 09757146

01 FC:141 1280.00 CH

COPY OF PAPERS
ORIGINALLY FILED

II. Action Requested

It is respectfully requested that this application be revived and that the accompanying Response to the Office Action be accepted.

III. Argument Supporting Action Requested

The abandonment of this application was unintentional. In the instant patent application one of the Inventors inadvertently neglected to sign the Declaration. This error was unintentionally overlooked, since two of the three inventors in the same office had signed the Declaration. Clearly, the third inventor overlooked the signature block and the error was an honest omission on the part of the filing attorney. Therefore, we ask that the application be revived.


This Petition is being filed within one-year of the date of abandonment. It is believed that under applicable rules and prevailing petition practice, a showing sufficient for the granting of this Petition has been made. If any deficiency is found, it is respectfully requested that Applicant be notified and accorded an opportunity to cure same without payment of additional fee.

A response to the outstanding Office Action is enclosed herewith, as required.

It is the undersigned's understanding that the extension of time fee has already been paid with the original filing of the Declaration and Assignment on August 24, 2001, and that the only fee due is the fee for this Petition. The Commissioner is authorized to charge the Petition Fee due herewith, or credit any overpayment, to **Deposit Account No. 19-2179**.

Two extra copies of this sheet are enclosed herewith. On contingency that this understanding is incorrect, the Commissioner is authorized to charge any other lawful fee due herewith to **Deposit Account No. 19-2179**.

Respectfully submitted,


I. Marc Asperas, Esq.
Reg. No. 37,274

Dated: 10/18/01

SIEMENS CORPORATION
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830
(732) 321-3009